

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

EUGENE STRADER, SR.,

Plaintiff,

v.

ORDER

10-cv-55-slc

JIM REED, M.D.,
JUDY SPAHN, A.R.N.P.,
CHRIS RUSSELL, P.A.,
GREGG FEARDAY H.S.U.,
MRS. TRATE C/O and
MRS. PADILLO,

Defendants.

Plaintiff Eugene Strader, Sr., a prisoner at the Federal Correctional Institution in Herlong, California, has submitted a proposed complaint. He asks for leave to proceed *in forma pauperis*. Because plaintiff is a prisoner, he is subject to the 1996 Prisoner Litigation Reform Act. This means that before this court may decide whether he can proceed with his complaint *in forma pauperis*, plaintiff will have to make an initial partial payment of the filing fee. From the trust fund account statement plaintiff has submitted, I calculate his initial partial payment to be \$36.41. Also, he must pay the remainder of the fee in monthly installments even if his request for leave to proceed is denied. Plaintiff should show a copy of this order to prison officials to insure that they are aware they should send plaintiff's initial partial payment to this court.

ORDER

IT IS ORDERED that plaintiff is assessed \$36.41 as an initial partial payment of the \$350 fee for filing this case. He is to submit a check or money order made payable to the clerk of court in the amount of \$36.41 on or before March 5, 2010. If, by March 5, 2010, plaintiff fails to make the initial partial payment or show cause for his failure to do so, he will be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without prejudice to plaintiff's filing his case at a later date.

Entered this 9th day of February, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge